

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**RODNEY V. SUMLIN**

**Plaintiff,**

**-vs-**

**Case No. 3:04-CV-109**

**POSTMASTER GENERAL  
OF THE UNITED STATES**

**Judge Thomas M. Rose**

**Defendant.**

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**ORDER OF DISMISSAL: TERMINATION ENTRY**

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The Court having been advised by Rodney v. Sumlin and by counsel for the Postmaster General of the United States that the above captioned matter has been settled, IT IS ORDERED that this action is hereby DISMISSED, with prejudice as to the Parties, provided that either of the Parties may, upon good cause shown within sixty (60) days, reopen this action if settlement is not consummated.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Insurance Company of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry. This Court will retain jurisdiction to enforce the terms of the settlement between the Parties, if necessary.

**DONE** and **ORDERED** in Dayton, Ohio, this Twenty-Fourth day of April, 2006.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record

Note: copy to Mr. Sumlin via U.S. Mail